

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Jamie Theodore Cobia

Docket No. 5:12-CR-305-1FL

Petition for Action on Supervised Release

COMES NOW Eddie J. Smith, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jamie Theodore Cobia, who, upon an earlier plea of guilty to 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(D), was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on February 6, 2013, to the custody of the Bureau of Prisons for a term of 16 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 24 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
2. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
3. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
4. The defendant shall submit a written weekly report to the probation office, if not regularly employed, of attempts to secure gainful employment.
5. The defendant shall participate in a vocational training program as directed by the probation office.
6. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.

Jamie Theodore Cobia was released from custody on October 10, 2013, at which time the term of supervised release commenced. On December 30, 2013, a violation report was submitted to the court reporting that the defendant tested positive for marijuana on December 18, 2013, and the defendant was referred for a two-day jail sanction per his DROPS condition.

Jamie Theodore Cobia
Docket No. 5:12-CR-305-1FL
Petition For Action
Page 2

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On January 15, 2014, the defendant submitted a urine sample that tested positive for cocaine and marijuana. When confronted with the results, the defendant denied knowingly using cocaine, but admitted to using marijuana. As a result of this additional drug use, the defendant has been referred to substance abuse counseling. Additionally, we will increase drug testing. As a sanction for this conduct, we are recommending that the defendant serve 90 days of home detention with election monitoring. The defendant is scheduled to start his two-day jail sanction as required by DROPS on February 15, 2014. We would request that the 90 days of home detention commence after completing the jail sanction. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 90 consecutive days. The defendant shall be restricted to residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Eddie J. Smith
Eddie J. Smith
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: February 7, 2014

ORDER OF COURT

Considered and ordered this 7th day of February, 2014, and ordered filed and made a part of the records in the above case.

Louise W. Flanagan

Louise W. Flanagan
U.S. District Judge